

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 7496 OF 2005

Dinesh T. Shah

...Applicant

Versus

American Express Bank and Anr.

...Respondents

Mr. I.B.Singhi for the Applicant.

Mr. Y.S. Shinde, A.P.P. for the State.

CORAM: A.M. KHANWILKAR, J.

DATE: DECEMBER 13, 2005.

P.C.

Heard the counsel for the parties.

2. This application is misconceived. The complaint has been filed in the Court at New Delhi. The prayer for quashing can be entertained only by the High Court of Delhi. To the above extent, this application should fail. In other words, Application is dismissed in so far as prayer clause (a) is concerned.

3. Even prayer clause (b) will have to be rejected as the Applicant prays that the case pending in the court of New Delhi be transferred to any Court in Bombay jurisdiction. This prayer is also, to say the least, misconceived. Hence the same is rejected.

4. In so far as relief in terms of prayer clauses (c) and (d) are

concerned, regarding cancellation of non-bailable warrant issued by the Delhi High Court, without entering into that controversy, it is observed that it will be open to the Applicant to appear before the appropriate Court in New Delhi within one week from today. Till such time the applicant shall not be arrested. The application is accordingly disposed of.

(A.M. KHANWILKAR, J.)